

REMARKS

Nonstatutory Obviousness-Type Double Patenting Rejections

Claims 1-4, 6-7, 9-18, 21-22, 24-25, 27-30, 38-45, and 47 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3, 5-11, 14, and 16-41 of copending application No. 11/353,701.

The Applicants respectfully traverse this rejection for two reasons. First, the filing date of the present application is July 14, 2004, while the filing date of copending Patent Application No. 11/353,701 is February 14, 2006, which is 18 months later. Therefore, it does not seem possible, that the term of the present application can exceed the term of copending Patent Application No. 11/353,701 with any proper patent term extension. Therefore, filing a Terminal Disclaimer would have no effect on the term of the present application.

Second, there have been extensive amendments made in the present application and some amendments made in copending U.S. Patent Application No. 11/353,701. The Applicants submit that because of these amendments, a Terminal Disclaimer is no longer necessary because the claims of the present application, as currently amended, are patentably distinct from the claims in copending U.S. Patent Application No. 11/353,701, as currently amended. For example, the claimed methods and apparatus of the present application are patentably distinct from the apparatus claimed in copending U.S. Patent Application No. 11/353,701 that includes the claimed non-reciprocal device and methods of interfacing using the claimed non-reciprocal device.

The Applicants respectfully request reconsideration of the pending claims in light of the above arguments.

The undersigned attorney would welcome the opportunity to discuss any outstanding issues, and to work with the Examiner toward placing the application in condition for allowance.

Respectfully submitted,

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Reg. No. 40,137

Tel. No.: (781) 271-1503
Fax No.: (781) 271-1527

/Kurt Rauschenbach/
Kurt Rauschenbach, Ph.D.
Attorney for Applicant
Rauschenbach Patent Law Group, LLC
Post Office Box 387
Bedford, MA 01730